

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CLAYTON MITCHELL,

Plaintiff

v.

WILLIAM DREIBELBIS, et al.

Defendants

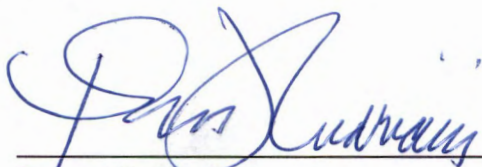
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4:19-CV-784  
(JUDGE MARIANI)

ORDER

AND NOW, THIS 8th DAY OF SEPTEMBER, 2020, upon review of Magistrate Judge Arbuckle's Report and Recommendation ("R&R") (Doc. 33) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 33) is **ADOPTED** for the reasons stated therein and to the extent consistent with this Order.
2. Plaintiff's action is **DISMISSED WITHOUT PREJUDICE** for failure to comply with the Court's Orders and for failure to prosecute this action.<sup>1</sup>
3. The Clerk of Court is directed to **TERMINATE** all pending motions.
4. The Clerk of Court is directed to **CLOSE** this action.

  
Robert D. Mariani  
United States District Judge

<sup>1</sup> Magistrate Judge Arbuckle's reasoning and conclusion that Plaintiff has failed to prosecute and has abandoned this action is further supported by Plaintiff's continued failure to file any response to Defendants' motions to dismiss and his failure to file any Objections to the pending R&R since its issuance on May 11, 2020.

The Court also agrees with the R&R's findings that an application of the *Poulis* factors further supports the dismissal of this action. See *Poulis v. State Farm Fire and Cas. Co.*, 747 F.2d 863 (3d Cir. 1984).